

File 3768



Docket No. DEP5167USPCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Callum Colquhoun Confirmation No.: 1326
Appln. No. : 10/567,235
Filed : August 10, 2006
Title : FLEXIBLE IMAGE GUIDED SURGERY MARKER

Art Unit : 3768
Examiner : Katherine L. Fernandez

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with
the US Postal Service with sufficient postage as first class mail
on October 15, 2008

Brian S. Tomko

(Name of applicant, assignee, or Registered Representative)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action of April 15, 2008, the time for response having
been extended by petition, please consider the following:

The claims are listed beginning on page 2 of this document.

Remarks begin on page 4 of this document.